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13   **UNITED STATES DISTRICT COURT**

14   **NORTHERN DISTRICT OF CALIFORNIA**

15   SUGAR WORKERS UNION LOCAL NO. 1,   )   Case No. C-07-3280-JSW
)

16   Plaintiff,   )   **STIPULATION AND [PROPOSED]**
)   **ORDER CONTINUING THE CASE**

17   v.   )   **MANAGEMENT CONFERENCE**
)

18   C & H SUGAR COMPANY,   )
)

19   Defendant.   )

20

21   Plaintiff Sugar Workers Union Local No. 1 ("Union") and defendant C & H Sugar

22   Company ("C&H") (Union and C&H as the "Parties"), through their respective counsel,

23   respectfully submit the following stipulation and request:

24   1.   The Parties request that this Court continue the initial Case Management

25   Conference presently scheduled for October 19, 2007 and continue the deadline to submit the

26   Joint Case Management Statement currently due by October 12, 2007. The parties propose the

27   Case Management Conference be continued until December 7, 2007 and the Joint Case

28   Management Statement be due by November 30, 2007. The continuance is requested because the

parties recently reached a tentative settlement of this case. Without any admission of liability by either side, the parties have agreed to select an arbitrator for the grievance at issue in this matter. The parties reserve the right to raise all defenses during the arbitration and will leave it to the arbitrator to determine whether bifurcation is warranted and, if so, whether he or she will hear both procedural and substantive issues. Plaintiff has informed Defendant that they will dismiss this case without prejudice once the parties have actually selected an arbitrator for the case. The parties anticipate that this will be completed within the next month.

2.   Good cause exists to grant the continuance because it would save the Parties and the Court resources and time if the Parties can resolve this matter informally.

DATED: October 11, 2007   **MASTAGNI, HOLSTEDT, AMICK, MILLER, JOHNSEN & UHRHAMMER**

By /s/ Will M. Yamada
        WILL M. YAMADA
        Attorneys for Petitioner

DATED: October 11, 2007   **SEYFARTH SHAW LLP**

By /s/ Jennifer P. Svanfeldt
        DANIEL NEWLAND
        Jennifer P. Svanfeldt
        Attorneys for Defendant C&H
        SUGAR COMPANY, INC.

[PROPOSED] ORDER

The Stipulation and [Proposed] Order Continuing the Case Management Conference and submission of the Joint Case Management Report, Is Hereby Adopted by the Court for the Case and the Parties Are Ordered to Comply with this Order.

Dated: _____
                                    _____
                                    HON. JEFFREY S. WHITE